

REMARKS

Summary

Claims 1, 6, 8, 11, and 20 have been changed by this amendment. Claims 2-4, 7, 9-10 and 12-14 are cancelled. Claims 15-18 are withdrawn. Claims 21-27 have been added. Claims 1, 5-6, 8, 11, and 19-28 are pending in the application.

Specification Changes

An obvious error is corrected in the specification. No new matter is added.

Claim Changes

Claim 1 has been changed to state in the second element that the public key signature is a public key signature of the first number. This is supported at least by applicant's specification, page 2, lines 4-7.

The changes to claim 6 are supported at least on page 2, lines 11-25 and page 3, line 20 to page 4, line 3, and FIGS 2-4 of the application.

Claim 8 is changed to conform to claim 6, upon which it is dependent.

Claim 11 is changed by removing "by radio means".

Claim 20 is changed to be dependent upon claim 11.

New claims 21 and 28 are supported at least on page 2, lines 11-25 and page 3, line 20 to page 4, line 3, and FIGS 2-4 of the application.

New claims 22-24 and 27 are supported at least on page 6, lines 1-12 of applicant's specification.

New claims 25-26 are supported at least on page 7, lines 8-11 of applicant's specification.

Claims 1, 5-11 and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Halperin et al., 6,226,619 (hereafter, Halperin) in view of Coppersmith et al., U.S. Patent 6,069,955.

Claim 1

The items described in applicant's claims, and in two embodiments of Halperin that the Office Action cited, and in the cited portion of Coppersmith, are compared in a table shown below.

“PK” stands for “public key”. The first column identifies fundamental aspects of the first and second numbers from applicant’s claim 1

The second column shows additional key aspects of the first and second numbers in applicant’s claim 1.

The third column shows key aspects of the first embodiment that the Office Action cites, using the one citation that was made for the first number, and the first citation made for the second number.

The fourth column shows key aspects of the second embodiment that the Office Action cites, using the one citation that was made for the first number, and the first citation made for the second number.

The citation of Coppersmith is provided in the last column. Coppersmith describes no number in a RFID tag, both numbers that Coppersmith cites are printed on the label.

<i>Claimed number</i>	<i>Claimed aspect</i>	<i>Halperin 1st Interpretation</i>	<i>Halperin 2nd Interpretation</i>	<i>Coppersmith</i>
1st Number obtained by radio	The 1 st number is associated with an item	“Number read from the tag” Col. 5, lines 55-65. This is a PK encryption of a serial number.	“Number read from the tag” Col. 5, lines 55-65. This is a PK encryption of a serial number.	None
2nd Number printed on item	The 2 nd number is a PK encryption of 1 st number	“serial number on the label” Col. 5, line 55 – Col. 6, line 5	“bar code with encrypted info related to bottle’s contents” Col. 5, line 55 – Col. 6, line 5	serial #, printed on label, and “PK encryption of the serial number, printed on the label” Col. 3, .ines 30-60; Col. 4, lines 1-35

The Office action states that is it “obvious to one of ordinary skill in the art at the time of the invention to modify Halperin and incorporate a method comprising utilizing a PK

cryptographic process and the first number to cryptographically verify the second number”. Of course, it was well known that a PK process could be used to verify a first number with a second PK encrypted version of the first number. But applicant’s claims state where these first and second numbers are located. Halperin puts a PK encryption of the serial number in the RFID label in both embodiments. Since Coppersmith simply teaches putting both numbers in the same place (on the label), Coppersmith adds nothing to Halperin. The teachings of Halperin and Coppersmith therefore do not combine to show applicant’s claim 1. Neither Halperin nor Coppersmith do this, while at the same time using encryption to verify the serial number. Thus, the rejection of claim 1 is overcome. Claim 1 is patentable over Halperin and Coppersmith, and any of the art cited in this application, taken either singly or in any combination.

At the time of filing of the Halperin application (1998), RFIDs were well-known to be of limited capacity and digital signatures were also known to be very large. In that case, Halperin (presumably skilled in the art) would have known this and could have chosen a solution that did not require the digital signature in the RFID tag. However, since there is no support in Halperin for putting the digital signature of the RFID data in a printed barcode format, it was apparently not obvious to Halperin, even though the deficiencies of the Halperin approach were even more significant in 1998 than they are now.

Claims 7 and 9-10

Claims 7 and 9-10 are cancelled, rendering their rejection moot

Claim 11

The rejection of claim 11 is nearly identical to the rejection of claim 1 and is therefore overcome for the same reason. Claim 11 is patentable over Halperin and Coppersmith, and any of the art cited in this application, taken either singly or in any combination.

Claims 6 and 21

Claims 6 and 21 have descriptions of two numbers in their first element and a third number in the second element. Applicant believes these claims are patentable over the prior art cited in this case, taken either singly or in any combination.

Claims 5, 8, 19-20, and 22-23

Each of claims 5, 7-8, 19-20, and 22-23 is dependent upon one of independent claims 1, 6, 11 and 21, and is therefore patentable inasmuch as the independent claims are patentable

Applicant specifically reserves the right to prosecute claims of differing and broader scope than those presented herein, in a continuation application.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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